Applicant: Seymour, et al.

Application/Control No.: 10/737,048

Filed: 12/16/2003

For: BRACKET ASSEMBLY

Art Unit: 3632

Examiner: Sterling, Amy Jo

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REMARKS/ARGUMENTS

The rejection of Claim 1-3 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,653,147 to Kelley et al. is respectfully traversed and reconsideration is respectfully requested.

Applicants' claims require more than an electrical connector having a body with two diameters. Specifically, the claims require that the "...tubular push-through portion slides through said aperture and said spokes engage the second diameter of said engaging portion..."

This feature is not found in Kelley et al. As a matter of fact the first first portion 20 of Kelley et al. is not tubular and the spokes 36 do not at any time engage the second diameter. Accordingly, the rejection fails.

"Factual determination of anticipation requires disclosure in single reference of every element of claimed invention, and examiner must identify wherein each and every facet of claimed invetion is disclosed in applied reference." Ex parte Levy: 17 USPQ2d; PTO Bd of Pat. App. and Int.; October 16, 1990.

Further, to additionally distinguish the instant invention, the claims have been amended to specifically recite that the body of the electrical connector is metal and the support also is metal. The grommet of Kelley et al. is rubber.

The Examiner's subsequent reference to a patent to a Wilhelm Kelley et al. is not understood. There is no such patent of record. There is the above-mentioned patent to Kelley et al. (Larry W. Kelley) and there is a patent to a Julius B. Wilhelmi and for purposes of this response it will be presumed that the further references are to the Kelley et al. patent.

As mentioned above, however, Kelley et al. fails as an anticipation because no of the spokes of Kelley et al. engage a second diameter. And, of course, the spokes of Kelley et al. are rubber, as is the entire grommet.

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The remaining references, cited but not applied are not seen to add anything to the rejection.

Specifically:

Dreisbach et al. 6,494,508, while teaching a metal locking element 58, provides no teaching at all about connectors with multiple diameters and spokes that attach to a second diameter after a first diameter has passed through.

Patel et al. 6,041,618 relates to a pressure vessel having an insulating mounting bracket in the form of an insulating sleeve containing air pockets and teaches nothing about multiple diameters.

Humber 5,702,076 relates to a pipe insulator constructed of a plastic material and it works with pipes having a single diameter.

Logsdon 4.930,733 also relates to a pipe holder for pipes having a single diameter.

Datschefski 4,299,363 relates to a flexible grommet formed from nylon, or other sutiable plastic material and specifically says that metallic materials should be avoided (see Col. 7, lines 66 et seq.).

Hathaway 3,788,655 relates to a a rubber grommet and does not teach connection to a connector having multiple diameters.

Heyman 3,516,111 relates to plastiv bushings and does not teach nor suggest use with multiple diameters.

Wilhelmi 3,351,974 relates to flexible plastic grommets of a material such as polypropylene and does not teach engagement with a second of two diameters.

Stevenson 1,788,414 relates to refrigeration apparatus and a method of making a frusto-conical connector.

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Accordingly, it is believed that this application is in condition for immediate allowance and such action is earnestly solicited.

Respectfully submitted,

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